

300 W. Main Street – Council Chambers

MEETING AGENDA

Zoning Board of Adjustments and Appeals

Date: December 18, 2023

BRIEFING:

5:45 P.M.

The staff will brief the board and preview the cases on tonight's agenda. Board members will have the opportunity to ask questions that may facilitate the meeting and presentation of the cases. No action will be taking place during the briefing.

Board Members In Attendance:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Barry Sandacz | <input type="checkbox"/> Kimberly Akinrodoye |
| <input checked="" type="checkbox"/> Eric Hedin | <input checked="" type="checkbox"/> Debbie Hubacek |
| <input type="checkbox"/> Clayton Hutchins | <input type="checkbox"/> Heather Mazac |
| <input checked="" type="checkbox"/> Timothy Ibidapo | <input checked="" type="checkbox"/> Jose Linarez |
| <input checked="" type="checkbox"/> Anthony Langston Sr. | <input type="checkbox"/> Melinda Rodgers |
| <input type="checkbox"/> Eric Smith | <input checked="" type="checkbox"/> David Baker |
| <input type="checkbox"/> Tommy Land | |

2. ZBA-23-06-0043 (Council District 3) Variance to reduce the minimum side setback for an accessory structure permitted under the Unified Development Code, located at 2125 Windchime Dr, legally described as Lot 13, Block 5, Cinnamon Ridge Addition, City of Grand Prairie, Dallas County, Texas, zoned Planned Development – 75.

Abdul Ghous briefed the Board on the case and explained that is case was tabled in July and is now only requesting a side yard setback

3. ZBA-23-11-0072 (Council District 1)- Variance to reduce the minimum side yard setback for a single-family residence permitted under the Unified Development Code, located at 609 SW 14th St, legally described as Lot 3 Block 132, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District

Brittany Musser from Planning briefed the Board on the case and explained that this case was approved last month but needed to come back for a modification.

4. ZBA-23-11-0073 (Council District 5) Variance to reduce the minimum side yard setback for a primary structure permitted under the Unified Development Code, located at 225 NW 16th St, legally described as Lot 1, Block 52, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas zoned Single Family-Six

Brittany Musser from Planning briefed the Board on the case and explained that this case was approved last month but needed to come back for a modification.

Briefing was adjourned at 5:54 pm

CALL TO ORDER

6:00 P.M.

The Zoning Board of Adjustments and Appeals is appointed by the City Council to consider variances, exceptions and appeals as prescribed by the City of Grand Prairie's Unified Development Code. In accordance with Section 211.009 of the Local Government of the State of Texas and Article 1 of the Unified Development Code of the City of Grand Prairie, the concurring vote of seven members of the Board is necessary to decide in favor of an applicant on any matter on which the Board has jurisdiction. Members of the public may address the Board on items listed on the agenda under Public Hearing Items

Board Members In Attendance:

☒ Barry Sandacz

☒ Eric Hedin

☐ Clayton Hutchins

☒ Timothy Ibidapo

☒ Anthony Langston Sr.

☐ Eric Smith

☐ Tommy Land

☐ Kimberly Akinrodoye

☒ Debbie Hubacek

☐ Heather Mazac

☒ Jose Linarez

☐ Melinda Rodgers

☒ David Baker

INVOCATION:

David Baker led the invocation

APPROVAL OF MINUTES:

The motion to Approve the minutes made by David Baker

The motion was seconded by Anthony Langston Sr

Motion Carried 7-0

PUBLIC HEARING:

2. ZBA-23-06-0043 (Council District 3) Variance to reduce the minimum side setback for an accessory structure permitted under the Unified Development Code, located at 2125 Windchime Dr, legally described as Lot 13, Block 5, Cinnamon Ridge Addition, City of Grand Prairie, Dallas County, Texas, zoned Planned Development – 75.

Abdul Ghous presented the case to the Board. He informed them that this case was tabled from the July meeting. The applicant has made some modifications to their request. The applicant was able to attach the patio to the house and now only needs to request a side yard setback of 4.4 feet.

Abdul Ghous presented the following staff findings (indicated by a check or x in the blank next to the finding):

- ☒ The variance or exception will not substantially or permanently injure the appropriate use of adjacent property in the same district.
- ☒ The variance or exception will not adversely affect the health, safety, or general welfare of the public.
- ☒ The variance or exception will not be contrary to public interest.
- ☒ The variance or exception will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.
- ☐ The variance or exception will be in harmony with the spirit and purpose of the Unified Development Code and all other ordinances of the City.
- ☒ The variance or exception will not alter the essential character of the district in which is located the property for which the variance is sought.

- ☒ The variance or exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located;
- ☐ The plight of the owner of the property for which the variance or exception is sought is due to unique circumstances existing on the property, including, but not limited to, area, shape or slope, and the unique circumstances were not created by the owner of the property, and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.
- ☐ The variance or exception is not a self-created hardship.

Applicant / Spokesperson: Miguel Cardenas

Address: 2125 Windchime Dr Grand Prairie, Tx 75051

Applicant was present.

David Baker informed the applicant that if they wanted to, they could table the application as there are only 7 members present and all members would need to vote in approval

Eric Hedin asked Mr. Cardenas if he had any information on the 3 letters that were received in opposition. Mr. Cardenas stated that he is not too sure why they are in opposition.

Debbie Hubacek asked if the structure could be seen from the street? The applicant stated no and that the neighbors closest to them have no issues with the structure. Ms. Hubacek also asked what the structure would be used for. The applicant stated that it would be used for storage.

After consideration of the evidence, including evidence of proper notice, the Board discussed the evidence and the documentation on the record.

A motion to close the public hearing and approve the request was made by **David Baker**

The motion was seconded by **Debbie Hubacek**

Motion failed : 6 yays to 1 Nays.

Members that opposed: Timothy Ibidapo

3. ZBA-23-11-0072 (Council District 1)- Variance to reduce the minimum side yard setback for a single-family residence permitted under the Unified Development Code, located at 609 SW 14th St, legally described as Lot 3 Block 132, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District

Brittany Musser from Planning presented the case to the Board and explained that this case was approved last month but needed to come back for a modification. The applicant originally requested a 5ft set back but after looking at the plans realized they would need a 4ft set back.

Brittany Musser presented the following staff findings (indicated by a check or x in the blank next to the finding):

- ☒ The variance or exception will not substantially or permanently injure the appropriate use of adjacent property in the same district.
- ☒ The variance or exception will not adversely affect the health, safety, or general welfare of the public.
- ☒ The variance or exception will not be contrary to public interest.
- ☒ The variance or exception will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.
- ☒ The variance or exception will be in harmony with the spirit and purpose of the Unified Development Code and all other ordinances of the City.
- ☒ The variance or exception will not alter the essential character of the district in which is located the property for which the variance is sought.
- ☒ The variance or exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located;
- ☒ The plight of the owner of the property for which the variance or exception is sought is due to unique circumstances existing on the property, including, but not limited to, area, shape or slope, and the unique circumstances were not created by the owner of the property, and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.
- ☒ The variance or exception is not a self-created hardship.

After consideration of the evidence, including evidence of proper notice, the Board discussed the evidence and the documentation on the record.

A motion to close the public hearing and approve the request was made by **Eric Hedin**

The motion was seconded by **Debbie Hubacek**

Motion passed: 7 yays to 0 Nays

4. ZBA-23-11-0073 (Council District 5) Variance to reduce the minimum side yard setback for a primary structure permitted under the Unified Development Code, located at 225 NW 16th St, legally described as Lot 1, Block 52, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas zoned Single Family-Six

Brittany Musser from Planning presented the case to the Board and explained that this case was approved last month but needed to come back for a modification. The applicant originally requested a 5ft set back but after looking at the plans realized they would need a 4ft set back.

Brittany Musser presented the following staff findings (indicated by a check or x in the blank next to the finding):

- ☒ The variance or exception will not substantially or permanently injure the appropriate use of adjacent property in the same district.
- ☒ The variance or exception will not adversely affect the health, safety, or general welfare of the public.
- ☒ The variance or exception will not be contrary to public interest.
- ☒ The variance or exception will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.
- ☒ The variance or exception will be in harmony with the spirit and purpose of the Unified Development Code and all other ordinances of the City.
- ☒ The variance or exception will not alter the essential character of the district in which is located the property for which the variance is sought.
- ☒ The variance or exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located;
- ☒ The plight of the owner of the property for which the variance or exception is sought is due to unique circumstances existing on the property, including, but not limited to, area, shape or slope, and the unique circumstances were not created by the owner of the property, and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.
- ☒ The variance or exception is not a self-created hardship.

After consideration of the evidence, including evidence of proper notice, the Board discussed the evidence and the documentation on the record.

A motion to close the public hearing and approve the request was made by: **David Baker**

The motion was seconded by **Eric Hedin**


Motion passed: 7 yays to 0 Nays

CITIZENS COMMENTS:

ADJOURNMENT : The meeting was adjourned at 6:16 pm

Signed on this the 17 day of January, 2024

**THE ZONING BOARD OF ADJUSTMENT
OF THE CITY OF GRAND PRAIRIE, TEXAS**

by: 
Printed Name: Barry Sanchez
Title: Chair